

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF CINGULAR WIRELESS – ZORRO WATER TANK TELECOMMUNICATIONS FACILITY, P03-136, LOG NO. 03-13-004

January 13, 2005

I. HABITAT LOSS PERMIT ORDINANCE– Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The project proposes an unmanned telecommunications facility consisting of four antennas per sector (three) mounted to one, to be constructed, monopine. The overall height of the monopine will be 50 feet with antennas residing at a height of 45 feet. The project site is located within the North Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program.

Staff has determined the proposed project is exempt from the California Environmental Quality Act pursuant to CEQA Section 15303. Projects found to be exempt from CEQA are also exempt from the County's Biological Mitigation Ordinance (Article III.A.1). Therefore, the project is not subject to the requirements of the BMO. However, no project within the MSCP County Subarea Plan, regardless of exemption status, may conflict or otherwise hinder the MSCP preserve system.

The project site does not support sensitive habitat or wildlife. Surrounding land uses include dense rural development. The site is not within a core, linkage, Pre-Approved Mitigation Area, Preserve Area or other highly sensitive area as designated by the MSCP. The site does not support any features that might encourage wildlife movement, such as a well-vegetated drainage, stream or creek.

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Based on the above facts, staff has determined that the proposed project will not hinder or conflict with the County Subarea Plan. No take authorization for incidental or deliberate impacts to state or federally listed species is granted with this determination. While no impacts to listed species are anticipated based on staff's review of the project, the applicant is responsible for ensuring that none occur and/or appropriate authorization has been obtained.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES	NO	NOT APPLICABLE/EXEMPT
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

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Floodways and Floodplain Fringe: The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Steep Slopes: The project site is flat and already graded. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined on a site visit conducted by Emery McCaffery on January 22, 2004. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites: The project will not impact significant archaeological resources since prior grading of the property has eliminated any potential for buried archaeological features.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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The Department of Planning and Land Use (DPLU) and Department of Public Works (DPW) staff have reviewed the Stormwater Management Plan (SWMP) For Minor Projects submitted to the County of San Diego on October 15, 2004 and prepared by William Lynch for the proposed wireless telecommunications facility in the San Dieguito Community Planning Area within the County of San Diego. This document complies with the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO, Section 67.817).

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of

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the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.

Staff noise specialist, John Bennett, has reviewed the revised Noise Impact Analysis from Eilar Associates submitted October 15, 2004, about noise generation from two ground-mounted Carrier Model 38HDC048 condensers for a proposed modular equipment shelter for the replacement plans of this Cingular Wireless communications project. Staff concludes that this project shall comply with the County Noise Ordinance and Noise Element because it does not create either a significant direct or cumulative noise impact at any property line or at the existing residence. The noise from this exterior equipment is not expected to exceed the noise level limits at the nearest adjacent property line (east) and it would contribute less than one decibel to the measured ambient conditions at this site (48 decibels). Staff has the following final recommendations for the proposed project:

The applicant shall:

1. Specify on the "Enlarged Site Plan" or Sheet A-1 of the final site plans "two ground-mounted Carrier Model 38HDC048 air-cooled condensing units or equivalently sized equipment each with a maximum sound power level of 7.2 Bels." This sound power level is based on a tone-corrected value referenced to the ARI Sound Standard 270 in the Carrier equipment specifications (2001). The two units shall be ground-mounted on a concrete slab adjacent to the southeast corner of the equipment shelter.

Prior to occupancy of this telecommunications facility,

1. Submit to the satisfaction of the Director of Planning and Land Use for inclusion in the environmental file 03-13-004, digital photos demonstrating that the specified cabinets have been installed including their serial numbers or identification plates for each of the ground-mounted condenser units at the

completed installation. A second set of photographs shall be provided to the project's construction manager.

Prior to final acceptance of this telecommunications facility by the County,

1. Facilitate an on-site County inspection in order to verify with the digital photographs submitted in the environmental file 03-13-004 that the installation of the specified cabinets described in the site plans and/or conditions of approval are correct.

As on-going condition of this Use Permit,

1. Be prohibited from a permanent installation of any additional unspecified exterior noise-generating equipment such as air conditioners or standby generators without a permit modification.